

Version  
as at 31 October 2022



# COVID-19 Response (Requirements For Entities— Modifications and Exemptions) (Māori Trust Boards— Annual Hui) Notice 2022

(SL 2022/278)

COVID-19 Response (Requirements For Entities—Modifications and Exemptions) (Māori Trust Boards—Annual Hui) Notice 2022: revoked, on the close of 30 October 2022, by clause 3.

This notice is made by the Minister for Māori Development under section 26A of the COVID-19 Response (Requirements For Entities—Modifications and Exemptions) Act 2020 after satisfying the requirements in section 27 of that Act.

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## Notice

### 1 Title

This notice is the COVID-19 Response (Requirements For Entities—Modifications and Exemptions) (Māori Trust Boards—Annual Hui) Notice 2022.

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### Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

**This notice is administered by the Ministry of Business, Innovation, and Employment.**

## **2 Commencement**

This notice comes into force on the day after the date of its notification in the *Gazette*.

## **3 Revocation of this notice**

This notice is revoked on the close of 30 October 2022.

## **4 Interpretation**

In this notice, unless the context otherwise requires, **Act** means the Maori Trust Boards Act 1955.

## **5 Application**

- (1) This notice applies to the annual hui of a Māori Trust Board under section 23C of the Act if—
  - (a) the Board informs the chief executive of the Ministry of Māori Development—Te Puni Kōkiri that it intends to postpone, or has postponed, the hui because of the effects of COVID-19; and
  - (b) the deadline for holding the hui under section 23C(1) of the Act falls between the start of 3 November 2021 and the close of 30 October 2022.
- (2) This notice applies to the hui regardless of whether—
  - (a) the Board complies with subclause (1)(a) before, on, or after the commencement of this notice; or
  - (b) the hui is held before, on, or after the commencement of this notice.

## **6 Exemptions and conditions**

- (1) A Māori Trust Board that is required to hold a hui to which this notice applies is exempt from the deadline for holding the hui under section 23C(1) of the Act.
- (2) The exemption applies on the condition that the Board holds the hui before the close of 30 October 2022.
- (3) Sections 23C(2), 23D, and 31(2) of the Act apply to a hui that is held under section 23C(1) in accordance with subclause (2).

Dated at Wellington this 19th day of October 2022.

Hon Willie Jackson,  
Minister for Māori Development.

## Explanatory note

*This note is not part of the notice, but is intended to indicate its general effect.*

This notice comes into force on the day after the date of its notification in the *Gazette* and revokes itself at the close of 30 October 2022. It grants an exemption from section 23C(1) of the Maori Trust Boards Act 1955 (the **Act**) to enable annual hui required by that section to be postponed to any time before the close of 30 October 2022.

This notice applies to a hui if—

- the relevant Māori Trust Board informs the chief executive of the Ministry of Māori Development—Te Puni Kōkiri that it intends to postpone, or has postponed, the hui because of the effects of COVID-19; and
- the deadline for holding the hui under section 23C(1) of the Act falls between the start of 3 November 2021 and the close of 30 October 2022.

### Statement of reasons

The Minister for Māori Development has granted the exemption set out in this notice (and is satisfied that it is appropriate) for the following reasons:

- it is necessary or desirable to ensure that the deadline for holding annual hui under section 23C(1) of the Act is not unduly onerous or burdensome due to the effects of COVID-19:
- for some Māori Trust Boards, the request for an exemption has been triggered by delays in completion of audit requirements for their annual reports arising from COVID-19:
- annual hui need to be well attended to be effective, as that is a key accountability and reporting mechanism. The impact of COVID-19 restrictions on travel and the concerns of the respective Māori Trust Board communities are likely to affect the ability and willingness of members and beneficiaries to physically attend annual hui:
- the ongoing risk of COVID-19 enhances the need to reduce unnecessary exposure of kaumātua to health risks and will also deter kaumātua from attending:
- there are significant costs involved in advertising, preparing, and catering for annual hui, and incurring such expense in holding a hui that is likely to have low attendance is not a good use of resources.

The Minister relied on section 28(3) of the COVID-19 Response (Requirements For Entities—Modifications and Exemptions) Act 2020 not to engage about the exemptions set out in this notice because the Minister was satisfied that the exemptions benefit Māori Trust Boards and their beneficiaries and do not materially detrimentally affect any person.

## Notes

### **1** *General*

This is a consolidation of the COVID-19 Response (Requirements For Entities—Modifications and Exemptions) (Māori Trust Boards—Annual Hui) Notice 2022 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

### **2** *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

### **3** *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

### **4** *Amendments incorporated in this consolidation*

COVID-19 Response (Requirements For Entities—Modifications and Exemptions) (Māori Trust Boards—Annual Hui) Notice 2022 (SL 2022/278): clause 3